

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, August 24, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 08-20-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President

JoAnne Arruda-Vice President

Hannibal Costa

Louise Durfee

Jay Lambert

Cecil E. Leonard

Edward Roderick

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

PROCLAMATION FOR CENTENARIAN SAUL BELSON

PRESENTATION BY PLACING PAWS

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

INVITATION TO TIVERTON LEGISLATORS FOR UPDATE OF

GENERAL ASSEMBLY ACTIVITY

CONSENT AGENDA:

- (C.A.) 1. a. Approval of Minutes from August 11, 2009 Regular Council Meeting
Councilor Leonard abstained - Absent
b. Approval of Executive Session Minutes from August 11, 2009 Council Meeting
Councilor Leonard abstained – Absent
- (C.A.) 2. Receipt of Minutes from the Following Boards, Commissions
a. Wastewater Management (2) c. Historical Cemetery Commission
b. Cemetery Commission d. Economic Development Commission
e. Recreation Commission f. Planning Board
- (C.A.) 3. Correspondence – Receive and File
a. Received From Newport Convention & Visitors Bureau Regarding Auditors' Report Year Ending March 31, 2009 – Available in Clerk's Office
- (C.A.) 4. Approval of Tax Assessor Abatements

B –PUBLIC HEARING –ADVERTISED

1. Tiverton Power, Inc. Attorney Richard A. Sherman – Proposed Amendment to the Town Zoning Map Continued From June 8th Council Meeting
 - a. Request by Tiverton Power, Inc to Continue Public Hearing to Sept. 14th Meeting
2. Landfill/Recycle Committee – Proposed Amendments to the “Solid Waste Management” Chapter 66 of Code of Ordinances - “No Bin/No Barrel” Policy

C- BOARD OF LICENSING COMMISSIONERS

D – FINANCIAL BUSINESS:

1. Philip DiMattia, Town Treasurer
 - a. June 2009 Budget and Revenue Report
 - b. FY 2009-2010 Overtime Report \$94,026.82 (July 1-August 27, 2009)
Fire Department \$73,931.74
Police Department \$20,095.08
 - c. Salary Survey Reported to State Government

E - APPOINTMENTS & RESIGNATIONS:

1. Interview for Appointment to Cemetery Commission
Peter J. Sullivan
2. Appointment to Cemetery Commission
(one vacancy for term to expire on 6/30/2012)
 - a. Peter J. Sullivan
 - b. Jeffrey E. Megna
 - c. Christopher M. Higgins
3. Appointment to Newport Convention and Tourism Bureau
 - a. David Stewart
 - b. William Enos
4. Resignation of Jennifer Rashleigh from Tiverton Library Board of Trustees
 - a. Appointment of James R. Barrett for Unexpired Term to Expire 6/30/2012
 - b. Recommendation Letter Received From B. Donnelly, Chair Board of Trustees

F - UNFINISHED BUSINESS:

1. Councilor Leonard – Evaluation Process for Town Administrator per Town Charter Section 407, Paragraph 5, Continued from August 11th Meeting

G - NEW BUSINESS:

1. Town Council/Wastewater Management – Recommendations and Findings Regarding Mount Hope Bay Sewer Interceptor
2. Town Clerk – Approval of Agenda for Workshop/Special Meeting to be Held on August 31, 2009

H – BIDS AND REQUESTS FOR PROPOSALS

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

1. Attorney General Response to Campbell Complaint
2. Municipal Court Decision on Town of Tiverton v. James and Melissa Pelletier

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)
2. Town Administrator – 42-46-5(a)(5) – Acquisition or Disposition of Town Held Property
3. Town Solicitor – 42-46-5(a)(6) - Prospective Business or Industry

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”